Wider War Has Already Begun In Southeast Asia, P. 2

How Freedom of The Press Marches On In Our Outposts of Freedom

Saigon (UPI)—An influential Saigon newspaper said today the South Vietnamese government was "seriously studying" a peace proposal that would involve coexistence with the Vietcong and their participation in elections. Police seized copies of the paper Doc Lap (Independence) at gunpoint from newsstands.—*Washington Post*, March 26.

Athens—Ioannis Zigdis a former Minister was arrested today for an interview in which he called for the restoration of democracy in Greece. So were the two publishers and two editors of the paper "Ethnos" which published it. They will be tried for "causing anxiety and fear to citizens by false rumors."—*New York Times*, March 27.

I. F. Stone's Bi-Weekly

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From All Deliberate Speed to Deliberate Slowdown

Behind Nixon's message on school desegregation there is a covert alliance between the President and certain black militants. Black power theoreticians and separatists became favorite White House visitors as the message was being framed. It recalls the days when some members of the Stern gang, a fringe of Zionist terrorists, decided with impeccable but insane logic that they and Hitler had aims in common: to destroy the British empire and to get the Jews out of Europe. They overlooked a slight difference: *they* wanted the Jews in Palestine, he wanted them in his human furnaces. Before the militants succumb to Nixon's seductive hints of separate but equal schools under their control, they had better remember the obvious: the President who is trying to pack the Supreme Court with white supremacists is no friend of black liberation. In the event of widespread black uprising, the logic of the Southern strategy may some day bring its advocates around to a separate black Republic, but it will be a South African style Bantustan where blacks can more easily be subdued and fenced off.

Supreme Court Justice Nixon?

From a constitutional point of view the message is an anomaly. It is as if, in frustration over the Haynsworth and Carswell nominations, Nixon and Mitchell decided to sit on the Supreme Court themselves. There is no precedent for a President's intrusion into a complex field of litigation to pick and choose among Federal court decisions in advance of final judgments by the Supreme Court. The effect is to make the White House a rival interpreter of the Constitution, to intimidate the lower courts, and to encourage local defiance of rulings Nixon singles out as too extreme. It raises the shadow of serious conflict should the Supreme Court ultimately decide differently from Nixon. It may, for example, disagree with his basic premise that a line has to be drawn between *de facto* and *de jure* segregation. Many lower courts have already held that if de facto segregation is examined closely it usually turns out to be de jure, too, since black neighborhoods in most areas are the result of a network of housing, zoning, urban renewal and school boundary decisions intended to create ghettoes and to isolate colored Americans from white.

Ever since he took office Nixon has been blowing the bugles of retreat on civil rights. This message is the loudest yet. One of the earlier ones was the joint Mitchell-Finch statement of last July 3 which watered down enforcement in the South on the excuse that it was necessary to move "massively" against de facto segregation in the North. The President now turns around and proposes to allow *de facto* segregation in both sections. He says that because we are "one nation . . . one people" we must be as lenient with the South as we have hitherto been with the North! Instead of outlawing *de facto* segregation as *de jure*, he moves—in his crafty analysis of "mixed" situations—in the direction of tolerating *de jure* segregation as *de facto*. Even when there is openly a dual school system, which Nixon says he opposes, he skilfully undercuts the effort to end it by calling on the courts to assume the "good faith" of local school board leadership. But the local leadership is almost always lily-white. To assume its good faith is to shut one's eyes to the clear history of how segregation was brought about. How the Sophists of ancient Greece would have welcomed Richard Nixon to their ranks!

As an expositor of the law, Mr. Justice Nixon fills one with alarm. He invokes two canons of interpretation with a sinister history. One is "the rule of reason" and the other "balancing." The former is the doctrine by which the Court in the 90s gutted the Sherman act and managed to discover that some of the country's greatest trusts somehow were not in violation of that anti-trust law! The other was the doctrine by which, in the McCarthyite 50s, over the objections of Black and Douglas, a Supreme Court majority undercut the First Amendment by "balancing" freedom of speech against other

(Continued on Page Four)

The Higher The Body Count

LONG BINH, Vietnam (UPI)—Two young American infantry officers told an Army court today they were under pressure from their commanders to report killing as many communist soldiers as possible. A civilian defense attorney called the officers to the stand in an effort to prove Army "body count" policies forced Lt. James B. Duffy, 22, of Claremont, Calif., to order the execution of a Vietnamese man seized by his platoon in September 40 miles southwest of Saigon.

Attorney Henry Rothblatt of New York called Lt. John D. Kruger, 23, of New Orleans, and Lt. Ralph C. Krueger Jr., 25, of Wilmington, Del., fellow officers of Lt. Duffy in the 3d brigade of the 9th U.S. Infantry Division. Both testified "body counts" were a gauge for advancement in the Army. "Your OER (Officer Efficiency Report) is based on how many enemy killed," Lt. Kreuger told the court. "It's that simple."

—*Washington Daily News*, (abr.), March 25.

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Sihanouk Alone In Southeast Asia Cost Us Neither Lives Nor Dollars . . .

He [Sihanouk] has been accused of a number of other things but he can never be accused of lack of dedication to Cambodia . . . Before there is too much rejoicing at his overthrow, it would be well to bear in mind that of all the countries in Indochina, Cambodia under Sihanouk is the only country into which we have not poured billions in aid . . . the only country in which we have not had Americans fighting and dying . . . What are we to expect now? Aid programs for Cambodia? An extension of military operations into that country?

Majority Leader Mansfield to the Senate March 26.

SECRET GOVERNMENT, SECRET ARMIES, SECRET WAR: These have begun a wider Asian conflict. Certain forces in the military and the CIA may see this as a way to stop further withdrawal from Vietnam, and Gen. Westmoreland has asked a 6-month delay in any further pullout. Organizations like the CIA are made to order for the kind of distant intrigue by which the tail can wag the dog. The situation in Laos has fallen apart because the CIA's secret armies violated the understandings that supported the 1962 territorial status quo. In Cambodia the CIA has long gunned for Sihanouk. The celerity with which the State Department recognized the new regime, and its arrogance in still keeping secret the Symington hearings on Laos which concluded five months ago, point to connivance in Washington. South Vietnamese and American forces have extended their operations into Cambodia, where there is evidence of popular revolt for Sihanouk; we may soon be invited to put it down with military aid and troops. Thai forces are fighting in Laos. The Chinese, possibly better informed than the American people, warn (as they did in Korea 20 years ago) that they will not "sit idly by" if we move in force into Laos and Cambodia. It is time for the peace movement to sound the alarms against a second Indochinese war, a second Korean-style conflict with China.

NAHUM GOLDMANN, PRESIDENT OF THE WORLD JEWISH CONGRESS, a Zionist leader for more than half a century, pleads in "The Future of Israel" (*Foreign Affairs*, April) for a neutralized and demilitarized Israel under international protection. He sees as a precondition "a basic settlement of the greatest human and emotional obstacle to Arab-Israel understanding, namely the Arab refugee problem." He admits his idea is visionary but not more so than was Herzl's Zionist dream only 75 years ago. A besieged and militaristic Israel, if not overwhelmed from without, will be destroyed spiritually from within. Goldmann's idea in the long run can alone preserve the Zion of which so many dreamed, a center of light and learning, in the best Jewish tradition, for all mankind.

CAMUS WROTE THAT EVERY REVOLUTIONARY in the end becomes an oppressor or a heretic. Anna Louise Strong evaded that fate by moving on from service to one revolution, the Russian, to another and younger, the Chinese. She was a romantic. She fell in love with revolution, and as a lover she always saw it through misty eyes. This made her a propagandist. Even after the ugly Stalin regime branded her a spy and expelled her in 1949, she could not bear to speak of the evils she had seen grow up around her in Moscow. In Peking, where other American exiles fell under suspicion, she alone was accepted—in her 80s!—bythe Red Guards. She died of arteriosclerosis at 84, but her heart remained somehow girlish and innocent to the end.

A REPORT JUST RELEASED by Sen. McGovern's Select Committee on Nutrition and Human Needs shows that the Supplemental Food Program—for infants, children and pregnant women—is not working because the people can't get the food: "Distribution centers are rarely located in client neighborhoods; the centers are not open at hours convenient to work-

Like Baby Bear's Porridge

By continuing deployment just a short time longer, the Soviet Union could neutralize the Safeguard system. Especially because of the vulnerability of the Missile Site Radars—the eyes of the defense—it was clear that Safeguard was both an impractical and ill-designed method of defending the Minuteman missile. The MSRs can be destroyed by overpressures just one-tenth as powerful as would be required to destroy a hardened Minuteman. [Secretary Laird] said they [the Russians] may deploy multiple independently-targetable warheads, improve accuracy and continue SS-9 deployments at the present rate. If this happens, Laird said, we will be faced in the mid-1970s with a threat which is "much too large to be handled by the level of defense envisioned in the Safeguard system without substantial improvement and modification." In other words, what the Secretary seems to be saying is that Russian forces must be not too small, or we will not need Safeguard; not too large, or Safeguard cannot work. They must be, like Baby Bear's porridge, "just right" to fit our defense.

—McGovern (D. S.D.) in the Senate (abr.), Mar. 20.

The Author Of Babi Yar, Self-Exiled In London, Answers A Soviet Anti-Zionist Canard

Sir: On March 12 the Soviet newspaper Pravda published what purported to be an appeal by Jews. It included the following passage: "The tragedy of Babi Yar will remain forever a symbol, not only of the cannibalism of the Nazis but also of the ineradicable shame of their collaborators and followers—the Zionists."

I lived through the whole of the German occupation of Kiev, in Kurenyovka, next to Babi Yar. In 1941 I was 12, and at such an age one remembers even the most insignificant details. But I went further and recorded them all in a fat notebook. When I set about writing "Babi Yar" in earnest I did not rely only on my own memory or on my notes; I spent many years gathering material, re-living those years, so to speak. Nowhere and at no time did I come across the slightest suggestion of any collaboration between the Nazis and the Ukrainian Zionists.

I am now about to publish the full text of "Babi Yar," in which there is a detailed account of how between Sept. 24 and Sept. 28, 1941, immediately after the Germans occupied Kiev, the whole of the centre of the city was blown up, having previously been mined by the Soviet secret police.

A great many Germans and civilians perished. On Sept. 29, as a reprisal for this action, the infuriated Nazis rounded up all the Jews of Kiev, numbering some 70,000, and executed them in Babi Yar. Thus it was in fact the Soviet secret police who provoked the Nazis into committing this outrageous act. To say then that Zionists were involved in the tragedy of Babi Yar is to carry cynicism beyond the bounds of comprehension.

I am not making any accusations against the people who signed the slander in Pravda. They did not write it. I know some of them personally and moreover some of them helped me to reconstruct the events. Presumably they were forced to do it. It seems that the Jews in the Ukraine are so intimidated today that they are ready to sign anything.

—A. Anatoli (Kuznetsov) in a letter to the London Daily Telegraph, *March 23.*

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. . . Eastland's "Welfare Check" From Agriculture Fatter Than Last Year

ing people; there is not always public transportation available to the centers; and, in any case, public transportation is not always feasible due to the bulk and weight of the food packages which were distributed only once a month." The study entitled "Special Summer Project: An Evaluation" was prepared by a team of law students working with committee staff.

THE FARM SUBSIDY PROGRAM continues to be another welfare program for the rich. Williams (R. Del.) told the Senate March 24 that last year 7,795 "farmers"—including six banks—drew more than $25,000 each. J. G. Boswell Co. of Calif. again received the largest subsidy, $4,370,657. Seven companies got more than $1 million. Among House members who took the floor briefly that day to protest, Rep. Findley (D. Ill.) estimated that by placing a ceiling of $20,000 on subsidies we could save $200-$300 million annually. One voice *not* raised belonged to Sen. Eastland. The Eastland Plantation of Sunflower County, Miss., last year collected $146,792 in subsidies—$29,814 more than in 1968.

MAJ. GEN. WINSTON PEABODY "WIMPY" WILSON, the National Guard commander who asked all Guardsmen to drive with their car lights on last November during the Vietnam Mobilization, is about to be rewarded. On March 16 the House voted 269-44 to make him a Lieutenant General. Only Congressmen Jacobs, Koch, Bingham and Ryan bothered to ask what business a General had meddling in politics. "Perhaps," said Koch, "we should consider not the promotion of the General, but the removal of a star." The bill has yet to reach the Senate. Maybe it will recommend a medal instead for intrepid gallantry.

STEVE NELSON, COMMANDER OF THE AMERICAN VOLUNTEERS who fought against Fascism in Spain in 1936-39, filed an action in the U.S. District Court in Washington to force the Attorney General to obey a three-year old court order that he either remove the Veterans of the Abraham Lincoln Brigade from the Justice Dept. "subversive list" or state the grounds on which it remains there. To date neither deletion nor statement has been forthcoming.

BRAVO TO RYAN (D. N.Y.) FOR AGAIN leading a Quixotic fight against the annual HUAC (now Internal Security Committee) appropriation. The anti-witch hunt bloc got 52 votes Mar. 25 against an appropriation of $450,000 or $50,000 more than in 1969, $100,000 more than in 1967. This gives it the fifth largest staff (48) of the 21 standing committees of the House. "The committee's very existence," Ryan said, "signals the urge toward repression which is egging on bigotry throughout our nation." No one defended the Committee but the House steamroller piled up 307 votes for it.

NICEST LITTLE JOKE OF THE WEEK: "President Nixon wants to de-escalate the war, so we thought we'd help him a bit."—*Clyde McKay, one of the two "S.D.S." mutineers who hijacked the munitions ship Columbia Eagle to Cambodia.*

HAT'S OFF: To Fulbright for his motion to recommit Carswell's nomination, no small feat of courage for a Southern Senator.

The Very Latest in Mitchell-Nixon Jurisprudence

The House-passed version of the District of Columbia crime bill is . . . a garbage pail of some of the most repressive, near-sighted, intolerant, unfair and vindictive legislation that the Senate has ever been presented. It contains broad and general wiretap authority going far beyond the limited authority of title III of the 1968 Omnibus Crime Act; uncontrolled and extremely permissive authority for no-knock searches; some of the most vindictive juvenile offender procedures imaginable; mandatory sentencing for offenders of up to 20 years in some instances; and, finally, the Dept. of Justice's unconstitutional, unworkable and unjustified preventive detention bill. Just one more item. The Department, in another gesture toward the police state around the corner, would make the policeman the unjustified beneficiary of his own unlawful action. If any citizen in this city sues a policeman for unlawful arrest and wins his suit by showing that the police officer did indeed violate the law, the innocent citizen must nevertheless pay the lawbreaking policeman's attorney fees.

—Ervin (D. N.C.) in the Senate March 24.

How An (Establishment) Black Felt at the Gridiron Club Dinner

The guests [at the Gridiron Club banquet] are generally grateful and gracious. But the event's importance is beyond the structure of graciousness because it shows the most powerful elements of the nation's daily press and all elements of the nation's government locked in a symbiotic embrace. The rich and the powerful in jest tell many truths about themselves and about their country. I don't feel very gracious about what they told me . . .

One thing quickly became clear about those faces. Apart from Walter Washington—who, I suppose, as Mayor had to be invited—mine was the only face in a crowd of some 500 that was not white. There were no Indians, there were no Asians, there were no Puerto Ricans, there were no Mexican-Americans. There were just the Mayor and me . . .

But it was not the people so much who shaped the evening. It was the humor amidst that pervasive whiteness about what was going on in this country these days that gave the evening its form and substance. There were many jokes about the "Southern strategy." White people have funny senses of humor. Some of them found something to laugh about in the Southern strategy. Black people don't think it's funny at all. That strategy hits men where they live—in their hopes for themselves and their dreams for their children. We find it sinister and frightening . . .

There was a joke about the amendments to the Constitution (so what if we rescind the First Amendment, there'll still be 25 left), and about repression (you stop bugging me, I'll stop bugging you), and there were warm, almost admiring jokes about the lady who despises "liberal Communists" and thinks something like the Russian Revolution occurred in Washington on Nov. 15. There was applause—explosive and prolonged—for Judges Clement Haynsworth and Julius Hoffman (the largest hands of the evening by my reckoning) . . .

And when it came to the end, the President and the Vice President of the United States, in an act which they had consciously worked up, put on a Mr. Bones routine about the Southern strategy with the biggest boffo coming as the Vice President affected a deep Southern accent. And then they played their duets—the President playing his songs, the Vice President playing "Dixie," the whole thing climaxed by "God Bless America" and "Auld Lang Syne." The crowd ate it up. They roared. As they roared I thought that after our black decade of imploring, suing, marching, lobbying, singing, rebelling, praying and dying we had come to this: a Vice Presidential Dixie with the President as his straight man.

—Former Assistant Attorney General Roger Wilkins, now with the Ford Foundation, in the Washington Post *March 26.*

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(Continued from Page One)

social values like stability and order—the very kind of earlier English common law "balancing" the First Amendment was intended to prevent. Mr. Justice Nixon would apply similar doctrines to nullify the Brown decision by "balancing" school desegregation against better education, *when the whole point of that landmark case was that segregation itself was the greatest obstacle to better education.*

A Computer-Created Nightmare

Nixon's presentation of the facts is treacherously unfair. Who would guess from his message that in Concordia Parish, La., black students were bussed for years to schools 50 miles away when white schools were in little more than walking distance, that this is only one of many cases in which desegregation requires less bussing than before. He turns the Los Angeles school case into a bussing horror story. He holds State Court Judge Alfred Gitelson up to national derision. He says the ruling will cost $40 million and require 1600 buses. He does not explain that Judge Gitelson found this computation (by a recalcitrant school board) was merely "an exercise in mathematics" reached by feeding into a computer the largest possible estimates of bussing based on the assumption that *only* bussing would be used to correct racial imbalance when almost half might be accomplished by "pairing" schools and redrawing school boundaries.Nixon is all for the "neighborhood school" but not, apparently, when it is an easy way to bring about racial mixing.

This bedtime hobgoblin was matched by Nixon's fairy tale about the "dramatic" progress in the South. He claimed 40 percent of the Negro population was attending schools held to be "in compliance," a tricky phrase. Prof. Alexander Bickel's *New Republic* article (Feb. 7), which is an advance blueprint for the Nixon message, said the percentage of Negroes in school with whites in the South "is only 18." A Civil Rights Commission report on figures like Nixon's in the Mitchell-Finch statement of July 3 accused the Administration of a "numbers game". It said the figures were padded by including Border States with few Negroes, and that even these figures showed only 12½% of black children in the 7 deep South states in "completely desegregated schools." It quoted a Fifth Circuit decision as saying that many of the schools so listed (after accepting innocuous court decrees to qualify for Federal funds) "had not moved an inch toward desegregation."

The growing black disillusion with integration is not with the principle but with the practice, with the devices local white leadership has adopted to make it as unpleasant as possible for blacks. Their bitterness attests the triumph of white strategy. Nixon says desegregation requires "a sense of compassionate balance" and must be "adapted to local circumstances." But his compassion and his balance are all on the side of easing white discomfort. He shuts his eyes to the "local circumstances" that exclude blacks from school boards and intimidate blacks who dare exercise freedom of choice. He is not ready to expend a penny of the working capital he has built up among frightened whites to make them a little more understanding of how the black parent and child feel. To do so would be really to help bring us together again, as he promised to do in the campaign. Instead this message, softly pitched as it is, can only serve the polarization Agnew advocates. It is the soft-sell, and may fool some white moderates and some black extremists, but most blacks and other minorities of color will see it as a soft sell-out, a further step in that second 1877 which began with his inauguration, a second abandonment of a second hoped-for Reconstruction.

A Searching Question By A Black Congressman

There is much confusion surrounding the trial of H. Rap Brown. Mr. Brown, who has spoken out against racial injustices with the revolutionary fervor of other great American patriots, finds himself threatened with imprisonment not because of an overt illegal act but because in a speech he was accused of inciting to riot. Let us assume for the sake of argument that Mr. Brown did. Let us assume further that such statements are not protected by constitutional guarantees of free speech. Then we would have to assume that it would be proper to prosecute Mr. Brown. If this is the case, if Mr. Brown has committed a crime which merits prosecution, why is the Congressman from South Carolina [Watson] not being prosecuted? Are we to believe that his inflammatory speech, inciting a mob at Lamar, S.C., to riot is not a violation of the law? Or should we believe what everyone in this country knows to be the truth—that a double standard of justice exists—one for whites and one for blacks?

—Clay (D. Mo.) in the House, Mar. 17 (abr).

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